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HOUSE BILL 2675

By McAfee

AN ACT to amend Chapter 126 of the Private Acts of 1990, and any other acts amendatory thereto, being the Charter of the Town of Signal Mountain, relative to vacancies on the Town Council.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Chapter 126 of the Private Acts of 1990, and any other acts amendatory thereto, being the Charter of the Town of Signal Mountain, is amended by deleting Section 5(c) of Article IV and by substituting instead the following:

(c) Filling of Vacancies. If a vacancy occurs on the Town Council, a majority vote of all of the remaining members of the Council may fill the vacancy for the balance of the unexpired term or until the next regular town election, whichever occurs first. If the Council fails to fill the vacancy within thirty (30) days following occurrence of the vacancy, the Hamilton County Election Commission shall call a special election to fill the vacancy for the unexpired term or until the next regular town election, whichever occurs first. A special election shall be held not sooner than seventy-five (75) days and not later than eighty (80) days thereafter, and shall be governed by the general election laws of the state, except that no special election shall be held within thirty (30) days of the next

regular town election. If the vacancy is filled by council appointment until the next regular town election and such appointment results in a fourth or fifth seat standing for election at the same election rather than the usual three (3) seats per election; then the candidates receiving the fourth, and, if applicable, fifth highest number of votes shall receive two-year terms, so that two years hence the alternating pair of four-year terms can be re-established.

SECTION 2. This act shall have no effect unless it is approved by a two-thirds (2/3) vote of the Town Council of Signal Mountain, within sixty (60) days of its signing by the Governor. Its approval or nonapproval shall be proclaimed by the presiding officer of the Town Council and certified to the secretary of state.

SECTION 3. For the purpose of approving or rejecting the provisions of this act, it shall be effective upon becoming a law, the public welfare requiring it. For all other purposes, it shall become effective as provided in Section 2.